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Application No.	<u>09/710,061</u>	Prepared by	<u>C. Majors</u>
Examiner-GAU	<u>Frech - 2876</u>	Date	<u>1/8/04</u>
		No. of queries	<u>1</u>
		Tracking Number	<u>05875654</u>
		Week Date	<u>12/15/03</u>
			<u>IFW</u>

JACKET

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|----------------------|------------------------|--------------------|----------------|
| a. Serial No. | f. Foreign Priority | k. Print Claim(s) | p. PTO-1449 |
| b. Applicant(s) | g. Disclaimer | l. Print Fig. | q. PTOL-85b |
| c. Continuing Data | h. Microfiche Appendix | m. Searched Column | r. Abstract |
| d. PCT | i. Title | n. PTO-270/328 | s. Sheets/Figs |
| e. Domestic Priority | j. Claims Allowed | o. PTO-892 | t. Other |

SPECIFICATION

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CLAIMS

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RESPONSE _____

initials

SHEET 1 OF 16

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER LJL 348	APPLICATION NUMBER 09/710,061			
		APPLICANTS Douglas N. Modlin et al.				
		FILED DATE November 10, 2000	GROUP ART UNIT 2876			
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROPR.
	2,719,214	9/27/55	Potter			
	3,013,467	12/19/61	Minsky			
	3,423,581	1/21/69	Baer			
	3,516,736	6/23/70	Weaver			
	3,849,654	11/19/74	Malvin			
	3,885,162	5/20/75	Geertz			
	3,932,023	1/13/76	Humer			
	4,011,451	3/8/77	Nelson			
	4,067,653	1/10/78	Fletcher et al.			
	4,074,939	2/21/78	Rabl			
	4,076,420	2/28/78	De Maeyer et al.			
	4,100,416	7/11/78	Hirschfeld			
FOREIGN PATENT DOCUMENTS						
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
WO 99/04228	1/28/99	WIPO			XX	
WO 99/08233	2/18/99	WIPO			XX	
OTHER DOCUMENTS						
Standard Handbook for Electrical Engineers, Fink et al., pp. 22-2 through 25-5 (11 th ed. 1978).						
Fundamentals of Light Microscopy, Spencer, Cambridge University Press, 1982.						
Principles of Fluorescence Spectroscopy, Lakowicz, First Edition, September 1983.						
Basic Fluorescence Microscopy, Taylor et al., Methods in Cell Biology, Vol. 29, pp. 207-237, 1989.						
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SHEET 2 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FR. DATE OF APPROV.
	4,144,452	3/13/79	Harte			
	4,150,870	4/24/79	d'Auria			
	4,203,670	5/20/80	Bromberg			
	4,240,751	12/23/80	Linnecke et al.			
	4,296,326	10/20/81	Haslop et al.			
	4,341,957	07/27/82	Wieder			
	4,397,560	8/9/83	Andresen			
	4,451,149	5/29/84	Noeller			
	4,451,433	5/29/84	Yamashita et al.			
	4,485,430	11/27/84	Achiaga Fustel			
	4,501,970	2/26/85	Nelson			
	4,567,847	2/4/86	Linner			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO 99/23466	5/14/99	WIPO			XX
	WO 99/37203	7/29/99	WIPO			XX
OTHER DOCUMENTS						
	<i>Quantitative Fluorescence Microscopy Using Photomultiplier Tubes and Imaging Detectors</i> , Wampler et al., <i>Methods in Cell Biology</i> , Vol. 29, pp. 239-267, 1989.					
	<i>Three-Dimensional Confocal Fluorescence Microscopy</i> , Brakenhoff et al., <i>Methods in Cell Biology</i> , Vol. 30, pp. 379-389, 1989.					
	<i>Laser Scanning Confocal Microscopy of Living Cells</i> , Lemasters et al., <i>Optical Microscopy: Emerging Methods and Applications</i> , pp. 339-345, 1993.					
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SHEET 3 OF 16

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
	4,591,550	5/27/86	Hafeman et al.		
	4,626,684	12/2/86	Landa		
	4,646,214	2/24/87	Mendleski		
	4,685,801	8/11/87	Minekane		
	4,699,512	10/13/87	Koshi		
	4,704,255	11/3/87	Jolley		
	4,704,353	11/3/87	Humphries et al.		
	4,707,067	11/17/87	Haberland et al.		
	4,724,217	02/09/88	Miller		
	4,730,921	3/15/88	Klein et al.		
	4,737,464	4/12/88	McConnell et al.		
	4,738,825	4/19/88	Klein et al.		
FOREIGN PATENT DOCUMENTS					
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS
	WO 99/42817	8/26/99	WIPO		XX
	WO 99/54711	10/28/99	WTPO		XX
OTHER DOCUMENTS					
	<i>Time-Resolved Fluorescence Lifetime Imaging</i> , vandeVen et al., Optical Microscopy: Emerging Methods and Applications, pp. 373-389, 1993.				
	<i>Electrochemiluminescence: A New Diagnostic and Research Tool</i> , Yang et al., BioTechnology, Vol. 12, pp. 193-194, February 1994.				
	<i>Sorting Single Molecules: Application to Diagnostics and Evolutionary Biotechnology</i> , Eigens et al., PNAS, Vol. 91, pp. 5740-5747, 1994.				
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SHEET 4 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE & APPROV.
	4,741,619	5/3/88	Humphries et al.			
	4,753,501	6/28/88	Battle			
	4,758,786	7/19/88	Hafeman			
	4,762,420	8/9/88	Bowley			
	4,772,453	9/20/88	Lisenbee			
	4,784,275	11/15/88	Fridge			
	4,801,804	1/31/89	Rosenthal			
	4,802,768	2/7/89	Gifford et al.			
	4,808,828	2/28/89	Kitamori et al.			
	4,810,096	3/7/89	Russell et al.			
	4,826,660	5/2/89	Smith et al.			
	4,849,330	7/18/89	Humphries et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO 00/04364	1/27/00	WIPO			XX
	WO 00/06989	2/10/00	WIPO			XX
OTHER DOCUMENTS						
	High Throughput Screening Using Dynamic Fluorescence, Swift et al., SPIE, Vol. 2388, pp. 182-189, February 6-8, 1995.					
	A Lifetime-Based Optical Co, Gas Sensor With Blue or Red Excitation and Stokes or Anti-Stokes Detection, Sipior et al., Analytical Biochemistry, Vol. 227, pp. 309-318 (1995).					
	Genesis Series Robotic Sample Processors brochure, Tecan AG, October 1997.					
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SHEET 5 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	4,855,930	8/8/89	Chao et al.			
	4,868,103	9/19/89	Stavrianopoulos et al.			
	4,873,633	10/10/89	Mezei, Luis M. et al.			
	4,877,963	10/31/89	Dandliker et al.			
	4,883,579	11/28/89	Humphries et al.			
	4,885,087	12/5/89	Kopf			
	4,892,409	1/9/90	Smith			
	4,897,548	1/30/90	Döme et al.			
	4,911,794	3/27/90	Parce et al.			
	4,915,812	4/10/90	Parce et al.			
	4,923,819	5/8/90	Fernandez et al.			
	4,931,402	6/5/90	Abplamaip			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO 00/06990	2/10/00	WIPO			XX
	WO 00/06991	2/10/00	WIPO			XX
OTHER DOCUMENTS						
	Genesis Robotic Microplate Processor brochure, Tecan AG, November 1997.					
	A Measure of Brilliance, TR717 Microplate Luminometer brochure, Tropix, Inc., 1997.					
	Advanced Microplate Detection Systems brochure, Tecan AG, February 1998.					
	The SPECTRA Family brochure, Tecan AG, February 1998.					
EXAMINER		DATE CONSIDERED				

SHEET 6 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	PRL. DATE IF APPROP.
	4,936,682	6/26/90	Hoyt			
	4,948,442	8/14/90	Manns			
	4,963,815	10/16/90	Hafeman			
	4,968,148	11/6/90	Chow et al.			
	4,979,821	12/25/90	Schutt et al.			
	5,009,488	4/23/91	Fay et al.			
	5,018,866	5/28/91	Osten			
	5,020,995	6/4/91	Levy			
	5,034,613	7/23/91	Denk et al.			
	5,039,219	8/13/91	James et al.			
	5,047,215	9/10/91	Manns			
	5,058,045	10/15/91	Ma			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO 00/42209	7/14/00	WIPO			XX
	WO 00/50877	8/31/00	WIPO			XX
OTHER DOCUMENTS						
	Assist Plate Handling Device brochure, Labsystems, May 1998.					
	Tecan SPECTRAFluor - A Step Forward in Microplate Fluorometry, internet description pages, printed from internet on June 17, 1998.					
	Wellac Time-Resolved Fluorometry-The Key to Improved Assay Sensitivity, internet description pp., July 7, 1998.					
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SHEET 7 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE OF APPROV.
	5,082,628	1/21/92	Andreotti et al.			
	5,084,246	1/28/92	Lyman et al.			
	5,091,652	2/25/92	Mathies et al.			
	5,095,517	3/10/92	Monguzzi et al.			
	5,096,807	3/17/92	Leaback			
	5,104,804	4/14/92	Humphries et al.			
	5,112,134	5/12/92	Chow et al.			
	5,160,702	11/3/92	Kopf-Sill et al.			
	5,164,319	11/17/92	Hafeman et al.			
	5,169,601	12/8/92	Ohta et al.			
	5,192,510	3/9/93	Zoha et al.			
	5,196,709	3/23/93	Bernard et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO 00/55372	9/21/00	WIPO			XX
	WO 00/66269	11/9/00	WIPO			XX
OTHER DOCUMENTS						
	Wallac 1234 DELFIA Fluorometer, internet description page, July 7, 1998.					
	Wallac 1420 VICTOR Multilabel Counter, internet description pages, July 7, 1998.					
	Wallac 1420 VICTOR ² Multilabel Counter, internet description pages, July 7, 1998.					
	Wallac 1442 ARTHUR Multi-Wavelength Fluorimeter, internet description page, July 7, 1998.					
EXAMINER		DATE CONSIDERED				

SHEET 8 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	PIL. DATE IF APPROV.
	5,198,670	3/30/93	VanCauter et al.			
	5,206,568	4/27/93	Björnson et al.			
	5,208,161	5/4/93	Saunders et al.			
	5,208,651	5/4/93	Buican			
	5,216,488	6/1/93	Tunnanen et al.			
	5,225,164	7/6/93	Astle			
	5,257,202	10/26/93	Fedderca et al.			
	5,270,788	12/14/93	Cercek et al.			
	5,273,718	12/28/93	Skold et al.			
	5,275,951	1/4/94	Chow et al.			
	5,278,048	1/11/94	Parce et al.			
	5,281,825	1/25/94	Bernard et al.			
FOREIGN PATENT DOCUMENTS						
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
WO 01/04608	1/18/01	WIPO			XX	
0 266 881 A2	5/11/88	EPO			XX	
OTHER DOCUMENTS						
Wallac Labelling Reagents for Time-Resolved Fluorometry, internet description page, July 7, 1998.						
Genesis Assay Workstation brochure, Tecan AG, July 1998.						
Genesis Logistics Workstation brochure, Tecan AG, July 1998.						
Polarion brochure, Tecan AG, August 1998.						
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SHEET 9 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,289,407	2/22/94	Strickler et al.			
	5,307,144	4/26/94	Hiroshi et al.			
	5,315,015	5/24/94	Hui et al.			
	5,317,485	5/31/94	Merjanian			
	5,319,436	6/7/94	Manns et al.			
	5,323,008	6/21/94	Studholme et al.			
	5,323,010	6/21/94	Gration et al.			
	5,340,716	8/23/94	Ulliman et al.			
	5,340,747	8/23/94	Eden			
	5,341,215	8/23/94	Seher			
	5,353,112	10/4/94	Smith			
	5,355,215	10/11/94	Schroeder et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	0 259 386 B1	6/5/90	EPO			XX
	0 977 037 A1	2/2/00	EPO			XX
OTHER DOCUMENTS						
	Cytoselect Fluorescence Multi-Well Plate Reader brochure, PerSeptive Biosystems, 1996.					
	Microplate Instrumentation Catalogue 1998, Labsystems, 1998.					
	<i>Fixed Polarizer Ellipsometry for Simple and Sensitive Detection of Thin Films Generated by Specific Molecular Interactions: Applications in Immunoassays and DNA Sequence Detection</i> , Ostroff et al., Clinical Chemistry, Vol. 44, No. 9, pp. 2031-2035, 1998.					
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SHEET 10 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,357,095	10/18/94	Weyrauch et al.			
	5,361,626	11/8/94	Colligan et al.			
	5,384,093	1/24/95	Ootani et al.			
	5,395,503	3/7/95	Parce et al.			
	5,401,465	3/28/95	Smethers et al.			
	5,418,371	5/23/95	Ashlund et al.			
	5,420,408	5/30/95	Weyrauch et al.			
	5,436,718	7/25/95	Fernandes et al.			
	5,445,935	8/29/95	Royer			
	5,449,921	9/12/95	Baba			
	5,457,527	10/10/95	Manns et al.			
	5,459,300	10/17/95	Kasman			
FOREIGN PATENT DOCUMENTS						
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
0 993 916 A2	4/19/00	EPO				XX
0 995 555 A1	4/26/00	EPO				XX
OTHER DOCUMENTS						
	Magellan, Instrument Control and Data Analysis Software brochure, Tecan AG, November 1999.					
	TWISTER™, Tecan's Automated Microplate Handler brochure, Tecan AG, November 1999.					
	<i>A Microfabricated Fluorescence-activated Cell Sorter</i> , Fu et al., <i>Nature Biotechnology</i> , Vol. 17, pp. 1109-1111, November 1999.					
	Absorbance Readers brochure, Tecan AG, December 1999.					
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SHEET 11 OF 16

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROV.
	5,480,804	1/2/96	Niwa et al.			
	5,485,530	1/16/96	Lakowicz et al.			
	5,487,872	1/30/96	Hafeman et al.			
	5,491,343	2/13/96	Brooker			
	5,496,697	3/5/96	Parce et al.			
	5,500,188	3/19/96	Hafeman et al.			
	5,504,337	4/2/96	Lakowicz et al.			
	5,512,492	4/30/96	Herron et al.			
	5,523,573	6/4/96	Härmisen et al.			
	5,527,684	6/18/96	Mabile et al.			
	5,528,046	6/18/96	Ishikawa			
	5,529,752	6/25/96	Pontis et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	1 003 020 A1	5/24/00	EPO			XX
	1 003 039 A1	5/24/00	EPO			XX
OTHER DOCUMENTS						
	ULTRA - The Solution for HTS and Assay Development brochure, Tecan Austria GmbH, December 1999.					
	Principles of Fluorescence Spectroscopy, Lakowicz, Second Edition, 1999.					
	CyBio™-Lumax 1,536 brochure, CyBio AG, May 2000.					
	CyBio™-PlateSafe brochure, CyBio AG, May 2000.					
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SHEET 12 OF 16

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,537,343	7/16/96	Kilkinis et al.			
	5,541,113	7/30/96	Siddigi et al.			
	5,542,012	7/30/96	Fernandes et al.			
	5,557,398	9/17/96	Wechsler et al.			
	5,561,068	10/1/96	Roumbehler et al.			
	5,567,302	10/22/96	Song et al.			
	5,589,136	12/31/96	Northrup et al.			
	5,589,350	12/31/96	Bochner			
	5,589,351	12/31/96	Harcutunian			
	5,592,289	1/7/97	Norris			
	5,593,867	1/14/97	Walker et al.			
	5,595,710	1/21/97	Van Dusen et al.			
FOREIGN PATENT DOCUMENTS						
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
2 215 838 A	9/27/89	United Kingdom			XX	
2 228 081 A	8/15/90	United Kingdom			XX	
OTHER DOCUMENTS						
SPECTRAmax® GEMINI XS brochure, Molecular Devices Corp., June 2000.						
Packard BioScience Company introduces the Fusion™ Universal Microplate Analyzer press release, Packard BioScience Company, June 29, 2000						
SPECTRAmax® PLUS™ brochure, Molecular Devices Corp., June 2000.						
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SHEET 13 OF 16

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	5,599,500	2/4/97	Jones			
	5,604,130	2/18/97	Warner et al.			
	5,620,894	4/15/97	Barger et al.			
	5,626,134	5/6/97	Zuckerman			
	5,631,734	5/20/97	Stern et al.			
	5,633,724	5/27/97	King et al.			
	5,635,402	6/3/97	Alfano et al.			
	5,641,633	6/24/97	Linn et al.			
	5,645,800	7/8/97	Masterson et al.			
	5,663,545	9/2/97	Marquiss			
	5,670,113	9/23/97	Akong et al.			
	5,672,880	9/30/97	Kain			
FOREIGN PATENT DOCUMENTS						
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO	
					YES	NO
					YES	NO
					YES	NO
OTHER DOCUMENTS						
	Labcyte: Research and Clinical Instruments for Life Sciences brochure, Arisena Research LLC, August 1, 2000.					
	Fusion™, Universal Microplate Analyzer, Packard BioScience Company, August 2000.					
	CyBio™-Screen-Machine: One System-Many Solutions brochure, CyBio AG, 2000.					
EXAMINER		DATE CONSIDERED				

MAY 13 2003

SHEET 14 OF 16

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APPLICANTS Douglas N. Modlin et al.						
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROV.
	5,676,943	10/14/97	Bactge et al.			
	5,677,196	10/14/97	Herron et al.			
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	5,738,825	4/14/98	Rudigier et al.			
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
	Acumes Explorer brochure, Acumes, undated.					
	FLIPR 384: Essential Technology for Drug Discovery brochure, Molecular Devices Corp., undated.					
	FLUOstar Galaxy brochure, BMG Labtechnologies GmbH, undated.					
	NEPHELOstar brochure, BMG Labtechnologies GmbH, undated.					
EXAMINER		DATE CONSIDERED				



SHEET 15 OF 16

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER LJL 348	APPLICATION NUMBER 09/710,061			
		APPLICANTS Douglas N. Modlin et al.				
		FILING DATE November 10, 2000	GROUP ART UNIT 2876			
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DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
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	POLARstar Galaxy brochure, BMG Labtechnologies GmbH, undated.					
	POLARstar Galaxy flyer, BMG Labtechnologies GmbH, undated.					
EXAMINER	DATE CONSIDERED					

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER LJL 348	APPLICATION NUMBER 09/710,061	
		APPLICANTS Douglas N. Modlin et al.		
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	6,137,584	10/24/00	Seidel et al.	
	6,159,425	02/15/00	Edwards et al.	
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EXAMINER		DATE CONSIDERED		